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FISCAL IMPACT REPORT



SPONSOR: Bailey DATE TYPED: 02/05/02 HB _____

SHORT TITLE: Legal Age of 21 For Gaming Activities, CA SB SJR 14

ANALYST: Gonzales

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
			\$0.1 See Narrative		

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SJR14, Gaming Control Act and Indian Gaming Compacts and Conflicts with HJR17

SOURCES OF INFORMATION

LFC Files
Attorney General
Gaming Control Board

SUMMARY

Synopsis of Bill

Senate Joint Resolution 14 proposes an amendment to Article 20 of the Constitution of New Mexico to prohibit any person under the age of 21 to participate in gaming activities.

Significant Issues

If this amendment passes the legislature, it would be submitted to the people for their approval or rejection at the next general election, November 2002, or at any special election prior to that date that may be called for that purpose.

Significant Issues

The Attorney General indicates the provision would be clearer if gaming activities were defined and the level of participation described.

FISCAL IMPLICATIONS

There is no appropriation contained in this bill. According to the Secretary of State there are additional costs associated with the printing and advertising of constitutional amendments of approximately \$30.0 each. There is a special appropriation in the current version of the General Appropriation Act of \$500.0 to cover costs associated with the constitutional amendment process.

CONFLICT/DUPLICATION

House Joint Memorial 17 proposes an amendment to the Constitution of New Mexico that would prohibit gaming and lottery activities in the state.

Section 60-2E-37 NMSA 1978 of the Gaming Control Act and Section 4(B)(1) of the tribal-state gaming compact, gaming patrons must be 21 years of age.

Senate Joint Resolution 14 is a duplicate of House Joint Resolution 16.

OTHER SUBSTANTIVE ISSUES

This legislation may be viewed as ambiguous because it does not define the gaming activities it prohibits and it does not describe the intention of the term “participate in gaming activities”.

POSSIBLE QUESTIONS

Would the restriction be limited to playing games or would it also restrict persons under age 21 from working at establishments that conduct gaming activities?

JMG/njw